

REFERENCE TITLE: emergency management; border wall; appropriation

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

## HCR 2037

Introduced by  
Representatives Pearce, Murphy, Senators Gould: Martin, Verschoor

### A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO  
BUILDING AND MAINTAINING A SOUTHERN ARIZONA BORDER WALL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it resolved by the House of Representatives of the State of Arizona, the Senate concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to building and maintaining a southern Arizona border wall for control of illegal immigration, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

## AN ACT

AMENDING TITLE 26, CHAPTER 2, ARIZONA REVISED STATUTES, BY  
ADDING ARTICLE 4; MAKING AN APPROPRIATION; RELATING TO EMERGENCY  
MANAGEMENT OF ILLEGAL IMMIGRATION.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 26, chapter 2, Arizona Revised Statutes, is amended by adding article 4, to read:

## ARTICLE 4. BORDER WALL

## 26-371. Emergency management; border wall; fund

A. THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS SHALL ENTER INTO CONTRACTS TO BUILD A WALL ALONG THE SOUTHERN BORDER OF ARIZONA TO CONTROL ILLEGAL IMMIGRATION.

B. A BORDER WALL SECURITY FUND IS ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS, MONIES COLLECTED BY THE DEPARTMENT OF REVENUE FROM A TAX OF EIGHT PER CENT IMPOSED ON ALL ELECTRONIC TRANSFERS OF MONIES INTO ARIZONA FROM ANY FOREIGN COUNTY AND ANY GIFTS AND GRANTS TO THE FUND.

C. THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS MAY ALSO ACCEPT ANY DONATIONS OF SERVICES, LABOR OR EQUIPMENT FOR PURPOSES OF BUILDING AND MAINTAINING THE BORDER WALL.

D. THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS SHALL ADMINISTER THE BORDER WALL SECURITY FUND.

E. MONIES IN THE BORDER WALL SECURITY FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPsing OF APPROPRIATIONS.

F. THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED IN SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

## Sec. 2. Appropriation; border security wall; exemption

A. The sum of \$\_\_\_\_\_ is appropriated from the state general fund to the department of emergency and military affairs for deposit in the border wall security fund established by section 26-371, Arizona Revised Statutes, as added by this act, for first year costs of planning and construction of the border security wall.

B. The appropriation made in subsection A of this section is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to lapsing of appropriations.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.